

37. Invalid Pension:-

(1) A Government servant who is declared by the appropriate medical authority to be permanently incapacitated for further service in accordance with the instructions on the subject may be granted invalid pension;¹[subject to Rule 45]

[2]

(2) Where the medical authority referred to in sub-rule (1) had declared a Government servant fit for further service of less laborious character than that which he has been doing, he may,

1. The words were added by G.O.Ms.Nos.178, Fin & Plg (FW.Pen.I) Department. Dt 22-10-97 w.e.f 29-10-79.

Note : The important provisions relating to invalidation of Government employees are incorporated in Appendix III.

2. Proviso (1) under rule 37 was omitted by G.O.Ms.No 178, Fin & Plg (FW.Pen.I) Dept,dt. 22-10-97 w.e.f. 29-10-79. The earlier proviso was as follows :-

“Provided that the Invalid Pension shall not be less than the amount of family pension [as admissible under sube rule (2) of rule 50] which would have been admissible to his family had he not been alive on the date on which he was invalidated.”

37

if possible, be employed on lower pay and if there be no means of employing him even on a lower pay he may be admitted to invalid pension.

(3) (a) If the incapacity is directly due to the irregular or intemperate habits of a Government servant, no invalid pension may be granted.

(b) If the incapacity has not been directly caused by such habits, but has been accelerated or aggravated by them, it shall be for the pension sanctioning authority to decide what reduction should be made on this account.

(4) [1]

1. The sub-rule (4) under rule 37 the orders issued by G.O.Ms.No.35, F&P (FW.Pen.I) Dept., dt 10-4-2000 was cancelled by G.O.Ms.No.814, Finance (Pen.I) Department, dt 23-9-2002 w.e.f 27-4-2002.

The cancelled sub-rule was as follows :

[For the purpose of this rule the appropriate Medical Authority shall be; a
Medical Board constituted for this purpose as specified below :-

(i) Where there are teaching hospitals, other than Rangareddy and Hyderabad Districts, the Medical Board shall consists of the Superintendent of the Government General Hospital and two Doctors of the cadre of Civil Surgeon nominated by the Superintendent of

-- 2 --

Government General Hospital, among them one should be a specialist in the disease/illness with which the employee is suffering and seeking medical invalidation and in case of a lady employee seeking medical invalidation, of the two Civil Surgeons, one should be a lady Civil Surgeon.

(ii) In the case of Rangareddy and Hyderabad Districts, the Medical Boards shall be the Medical Boards already existing in Osmania General Hospital and Gandhi General Hospital.

(iii) In all other districts, the District Co-ordinator of the District Headquarters Hospitals of the Andhra Pradesh Vaidya Vidhana Parishad and two doctors of the cadre of Civil Surgeon nominated by the District Co-ordinator, of whom one should be a specialist in the disease/illness with which the employee is suffering and seeking medical invalidation and in case of a lady employee seeking medical invalidation, of the two Civil Surgeons, one should be a lady Civil Surgeon

where the District Headquarters Hospitals of the Andhra Pradesh Vaidya

Vidhana Parishad does not have necessary expertise to decide the matter for want of the concerned specialist doctor, it may be referred the case to the nearest teaching hospital for obtaining their opinion before making their recommendations.

(5) The Government employee seeking retirement on medical invalidation shall apply to the concerned appointing authority and the appointing authority shall refer the case to the above Medical Boards as and when the application received. The Medical authority shall also be supplied by the appointing authority with a statement of what appears from the official records to be the age of the applicant.

Note 1 :

The medical Certificate referred to this rule should invariably be drawn

up in Medical Form No. 1-17 (Civil Medical Form No. 32)

Note 2 :

All cases in which it is certified that the incapacity for service is due to irregular, intemperate habits should be submitted to Government for

orders through the proper channel, together with the opinion of the Director of Medical Services.

Note 3 :

The disease from which a government employee is suffering is curable by an operation or treatment, but this, he refuses to undergo and is therefore invalid. In these circumstances no pension or gratuity is admissible. The Government consider that each case of invalidation on account of curable disease should be decided on merits.

(6) The District Level Committee and the State Level Committee shall be constituted with the following officers namely :-

(a) District Level Committee of Officers :

- | | |
|--|----------------|
| 1. District Collector | Chairman |
| 2. District Medical and Health Officer | Member |

--3--

3. District head of the Department in which the employee is seeking retirement on medical invalidation Member/Convenor

(b) State Level Committee of Officers :

1. Special Chief Secretary/Principal Secretary to Government nominated by the Government ... Chairman

2. Principal Secretary or Secretary to Government, Health Medical and Family Welfare Department Member

3. Director of Medical Education Member

4. Secretary to Government of the Department in which the employee is seeking retirement on Medical Invalidation Member

5. Deputy Secretary or Joint Secretary or Additional Secretary to Government, Health Medical and Family Welfare Department Member/Convenor

(7) (i) The District Level Committee shall consider the Medical Invalidation

report given by the District Medical Board constituted as mentioned in

sub-rule (4) (i), (ii) and (iii) above in respect of District employees and State Level Committee shall consider the Medical Invalidation report given by the Medical Board constituted as mentioned in sub-rule 4 (ii) above in respect of Government employees of Heads of Departments /Secretariat Departments and scrutinise the proposals for retirement on medical invalidation.

(ii) The District Collector who are heading the District Level Committee, shall send the recommendations of the District Level Committees to the concerned District Head of the Department.

(iii) In the case of Government employees of Heads of Departments / Secretariat Departments, the proposals shall be placed before the

State Level Committee of Officers directly through Health, Medical and Family Welfare Department in Secretariat based on the recommendations of the Medical Board. Convenor of the State Level Committee of Officers shall send the recommendations of the Committee in each case to the concerned Principal Secretary / Secretary to Government of the Secretariat Department or to the Head of the Department concerned.

(8) Only where the District Level Committees and the State Level Committee of Officers makes a clear recommendations for retirement on Medical Invalidation, the concerned District Head of the Department/
Head of the Department/Department of Secretariat / appointing authority shall issue necessary orders permitting the Government employee to retire on Medical Invalidation.
II In Appendix III, article 442 and article 445 shall be omitted.]